IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 5415 of 2004(T)

PETITIONER:

G.THULASEEDHARAN S/O. A.RAMAN PILLAI,
AGED 49 YEARS,(SECURITY GUARD (OF SERVICE)
THE KERALA MINERALS AND METALS LTD., CHAVARA,
KOLLAM) NOW RESIDING AT "NANDANAM" HOUSE,
PAYAPPAR P.O., PALA, KOTTAYAM DISTRICT

BY ADV. SRI.P.C.HARIDAS

RESPONDENTS:

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1. UNION OF INDIA, REPRESENTED BY ITS
SECRETARY TO THE MINISTRY OF LABOUR, NEW DELHI

2. GOVERNMENT OF KERALA, REPRESENTED BY ITS
SECRETARY TO INDUSTRIES (H) DEPARTMENT,
THIRUVANANTHAPURAM

3. THE KERALA MINERALS AND METALS LTD.,
(TITANIUM), CHAVARA, KOLLAM, REPRESENTED BY ITS
MANAGING DIRECTOR

4. MANAGER (P&A), THE KERALA MINERALS AND
METALS LTD., CHAVARA, KOLLAM.

5. THE ASSISTANT LABOUR COMMISIONER
(CENTRAL), OPP. DIVISIONAL EMPLOYMENT EXCHANGE,
UPPALAM ROAD, THIRUVANANTHAPURAM.

BY ADV. SMT.T.D.RAJALAKSHMI, SCGSC
M/S.B.S.KRISHNAN ASSOCIATES, SC. KMML
SRI.K.ANAND (A.201)
SMT.LATHA KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)No.5415/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE COPY OF CERTIFICATE OF SERVICE ISSUED TO THE PETITIONER, FOR WORKING AS A SEPOY IN THE MADRAS REGIMENT OF THE INDIAN ARMY.

EXT.P2. TRUE COPY OF THE CONDUCT CERTIFICATE ISSUED TO THE PETITIONER BY THE OFFICER COMMANDING MADRAS REGIMENT.

EXT.P3. TRUE COPY OF THE LETTER DTD. 27-12-1983 OF THE PERSONNEL MANAGER TO THE 3RD RESPONDENT.

EXT.P4. TRUE COPY OF RESIGNATION LETTER DTD. 21-5-93 SENT BY THE PETITIONER TO THE 3RD RESPONDENT.

EXT.P5. TRUE COPY OF LETTER WITHDRAWING RESIGNATION SENT BY THE PETITIONER TO THE 3RD RESPONDENT.

EXT.P6. TRUE COPY OF LETTER DATED 21-6-1993 ISSUED BY 4TH RESPONDENT TO THE PETITIONER.

EXT.P7. TRUE COPY OF PETITION SUBMITTED BY THE PETITIONER BEFORE THE 5TH RESPONDENT.

EXT.P8. TRUE COPY OF MINUTES OF JOINT DISCUSSIONS AND CONCILIATION PROCEEDINGS HELD ON 13-8-2002

EXT.P9. TRUE COPY OF REPORT DTD. 19-8-2002 PREPARED AND SUBMITTED BY THE 5TH RESPONDENT TO THE 1ST RESPONDENT.

EXT.P10. TRUE COPY OF COMMUNICATION DTD. 24-2-2003 SENT BY 1ST RESPONDENT.

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH, J.

W.P(C)No. 5415 of 2004

Dated this the 30th day of July, 2007

JUDGMENT

Petitioner is aggrieved by Ext.P10 order passed by the Government of India whereby the Government refused to refer the dispute regarding termination for adjudication. It is seen that the termination is in 1993 whereas the petitioner moved the Government only in 2002 and therefore, the Government rightly rejected the case of the petitioner observing that adequate reasons were not furnished justifying the delay. Therefore, there is no merit in the writ petition. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.